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Implementation of the Marine Strategy Framework Directive in Spain: The role of the IEO

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Abstract

The Marine Strategy Framework (Directive 2008/56/EC, MSFD) came into force in 2008 as the key environmental instrument of the European Union maritime policy, and establishes that Member States shall adopt the necessary measures to achieve or maintain the good environmental status (GES) of the marine environment by 2020. The central part of the MSFD is formed by the ‘marine strategies’, which have to be developed by the Member States for the marine waters under their jurisdiction.

The MSFD states that Member States must incorporate the provisions of the Directive into their national law. In Spain, the Law 41/2010 on the protection of the marine environment (LPME), is the standard transposing MSFD into national law, adapting the text of the Directive to the national scenario. The LPME provides the general legal framework for the conservation and protection of the marine environment in Spain, with the aim of achieving the GES of the marine waters, and ensuring the sustainable use of marine resources. In addition, this Law includes the regulation of other aspects related to the protection and planning of the marine environment, such as the creation and management of a Spanish network of Marine Protected Areas, and the control of discharges into the sea. To facilitate the implementation of marine strategies, the LPME establishes, on the basis of particular biogeographic, oceanographic and hydrological characteristics of each region, five subdivisions within these regions and subregions, so called “marine demarcations”. The Atlantic region includes the North Atlantic demarcation, the South Atlantic demarcation and the Canary Islands demarcation; whilst the Mediterranean region includes the Levantine-Balearic demarcation and the Gibraltar Strait and Alborán Sea demarcation.

The authority responsible for the implementation of the MSFD in Spain is the Ministry of Agriculture, Food and Environment (MAGRAMA). The MAGRAMA coordinates the marine strategies in collaboration with the involved administrations. The scientific support for the marine strategies was provided by the Spanish Oceanographic Institute (IEO). The Marine Strategy-Team from the IEO started to work on the scientific implementation of the MSFD in January 2010, within the framework of a Fund Management Agreement between the IEO and the Ministry of Environment and Rural and Marine Affairs (now Ministry of Agriculture, Food and Environment). The IEO is mentioned in the LPME as a resource and technical service of the General State Administration, through which the activities of the marine

strategies will be implemented. The IEO carried out, so far, the initial assessment and the development of the eleven descriptors of good environmental status.

An expert responsible for each MSFD descriptor was designated from scientists in different IEO laboratories with experience in the scientific areas covered by the Directive, since an organization in working groups for each descriptor was needed. Results of previous research provided a lot of useful information, but in many areas of knowledge the data did not meet the requirements set by the Directive. In fact, as important as the assessment work was the identification of gaps of knowledge and the identification of future research needs. The first three steps of the implementation cycle of marine strategies (initial assessment, GES definition and establishment of environmental targets) concluded in 2012, with contributions of more than 80 researchers from all oceanographic centers of the institution.

The next task to be addressed in order to implement marine strategies is the elaboration of the monitoring programs (Article 11, MSFD). The general aim of these monitoring programs is the continuous assessment of the status of the marine environment, and will be used to estimate the distance between the environmental status and the GES, based on the elements listed in Annex III and following the principles contained in Annex V of the MSFD.

Here we describe the work carried out by the IEO within the implementation process in Spain, which represents a demanding task in the integrative assessment of marine ecosystems, and we discuss the main difficulties and challenges encountered so far.

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